IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Crl.Rev.Pet.No. 1612 of 2007()

CRA.491/2005 of ADDL.SESSIONS COURT,-I, MAVELIKKARA
CC.298/2003 of JUDL.MAGISTRATE OF FIRST CLASS, MAVELIKKARA

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REVN. PETITIONER: PETITIONER/REVISION PETITIONER

CHANDRASEKHARA KURUP,
SREENILAYAM, KARIMULACKAL MURI,
CHUNAKKARA VILLAGE.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS:

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1. GOAPALAKRISHNA PILLAI, KRISHNA BHAVAN,
   VARENIKKAL MURI, THEKKEKARA VILLAGE.

2. THE STATE OF KERALA,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1612 OF 2007

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Dated this the 11th day of April 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for three months and to pay a fine of Rs.1,00,000/- and in default to undergo simple imprisonment for two months with the direction that the fine amount if realised is to be paid to the complainant.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to remit the fine amount. In the circumstances, sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.1,00,000/- (Rupees One lakh only) vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for two months. The revision petitioner is granted six months time from today onwards to pay the amount of

compensation. The revision petitioner shall appear before Judicial First Class Magistrate, Mavelikkara on **15.10.2007** to receive sentence. NBW pending if any shall be kept in abeyance till then.

The Crl.R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

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